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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|-----------------|-------------|-----------------------|---------------------|------------------|
| 10/765,468 | 01/28/2004 | Frederick W. Giacobbe | Serie 6481 | 8586 |

7590 10/18/2007
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| EXAMINER |
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HOFFMANN, JOHN M

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| ART UNIT | PAPER NUMBER |
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1791

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10/18/2007

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

| | | | |
|---|-----------------|-----------------|--|
| <p align="center">Advisory Action After the Filing of an Appeal Brief</p> | Application No. | Applicant(s) | |
| | 10/765,468 | GIACOBBE ET AL. | |
| | Examiner | Art Unit | |
| | John Hoffmann | 1791 | |

--The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

The reply filed 01 October 2007 is acknowledged.

1. ☒ The reply filed on or after the date of filing of an appeal brief, but prior to a final decision by the Board of Patent Appeals and Interferences, will not be entered because:

a. ☒ The amendment is not limited to canceling claims (where the cancellation does not affect the scope of any other pending claims) or rewriting dependent claims into independent form (no limitation of a dependent claim can be excluded in rewriting that claim). See 37 CFR 41.33(b) and (c).

b. ☐ The affidavit or other evidence is not timely filed before the filing of an appeal brief.
See 37 CFR 41.33(d)(2).

2. ☐ The reply is not entered because it was not filed within the two month time period set forth in 37 CFR 41.39(b), 41.50(a)(2), or 41.50(b) (whichever is appropriate). Extensions of time under 37 CFR 1.136(a) are not available.

Note: This paragraph is for a reply filed in response to one of the following: (a) an examiner's answer that includes a new ground of rejection (37 CFR 41.39(a)(2)); (b) a supplemental examiner's answer written in response to a remand by the Board of Patent Appeals and Interferences for further consideration of rejection (37 CFR 41.50(a)(2)); or (c) a Board of Patent Appeals and Interferences decision that includes a new ground of rejection (37 CFR 41.50(b)).

3. ☐ The reply is entered. An explanation of the status of the claims after entry is below or attached.

4. ☒ Other: Claim 32 in the amendment has a semicolon at the end, followed by a period; the last word is "composition". However the Office's last-rejected set of claims has claim 32 with "value" being the last word, and no semicolon. This was the claims entered 3/08/2007. It appears that applicant's amendment are based on claims that have since been amended by applicant.


 JOHN HOFFMANN
 PRIMARY EXAMINER
 GROUP 1300

10-16-07